



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED FOR LACK OF JURISDICTION: July 24, 2015

CBCA 4829

UNITED VETERANS CONSTRUCTION, LLC,

Appellant,

v.

DEPARTMENT OF VETERANS AFFAIRS,

Respondent.

George S. Hammer, President of United Veterans Construction, LLC, Samson, AL, appearing for Appellant.

Brian R. Reed, Chicago Office of Regional Counsel, Department of Veterans Affairs, Charleston, IL, counsel for Respondent.

Before Board Judges **VERGILIO**, **DRUMMOND** and **ZISCHKAU**.

VERGILIO, Board Judge.

United Veterans Construction, LLC (contractor) filed an appeal at the Board concerning its requests for equitable adjustment under its contract, VA69D-C-1722, with the Department of Veterans Affairs (agency). The agency has moved to dismiss for lack of jurisdiction, contending that although the contractor presented requests for equitable adjustment it failed to present a claim to the contracting officer. The agency concluded that the contractor was entitled to some but not all of the requested relief. The agency wrote to the contractor that it could file a claim should it disagree with the proposed resolution. The contractor did not file a claim with the agency. In response, the contractor does not object to the requested dismissal for lack of jurisdiction.

Accordingly, the Board does not reach the merits of the appeal; instead, the appeal is **DISMISSED FOR LACK OF JURISDICTION.**

We concur:

JOSEPH A. VERGILIO
Board Judge

JEROME M. DRUMMOND
Board Judge

JONATHAN D. ZISCHKAU
Board Judge